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New Requirement for HCD Licensees Proof of Legal Presence in U.S.

In 1996, U.S. Congress passed the Personal Responsibility and Work Opportunity Reconciliation Act (the Act, Public Law 104-193) which requires states to eliminate a broad array of public benefits to unqualified aliens. The definition of a public benefit includes professional and occupational licenses issued to individuals by state agencies. For purposes of the Department of Housing and Community Development (HCD), Codes and Standards Division Programs, the term “public benefit” applies to several types of permits, certificates and licenses. The following listing categorizes public benefits:

Employee Housing Program

- Permits to operate employee housing facilities.

Mobilehome Parks Program

- Permits to operate mobilehome parks.

Manufactured Housing Program

- Certificates to act as a design approval agency, quality approval agency or a quality approval inspector.

Occupational Licensing Program

- Licenses to act as a manufacturer, dealer, salesperson or instructor of prescribed licensing courses.

To implement the provisions of the Act, the Department adopted emergency regulations which require proof of citizenship or appropriate immigration status from all applicants for a license, permit or certificate.

The effective date for the new regulation was April 6, 1998. As of that date, all applicants for an original or renewal license, permit or certificate are required to submit documentation showing the appropriate legal presence in this country.

Acceptable Documents for Establishing Legal Presence

The most common document that can be used for establishing proof of U.S. citizenship is a birth certificate. In most cases, individuals can obtain a copy of their birth certificate from either the county recorder’s office in the county where they were born or from a state office of vital statistics in the state where they were born. The telephone numbers for the vital statistics offices for all states, including U.S. territories and possessions are provided on Page 2.

In addition to a birth certificate, there are a variety of other documents which can be used to establish proof of U.S. citizenship. Listings of these documents are provided on Page 3 (list A).

Since it can take a number of weeks to obtain a copy of a birth certificate, and possibly longer for other kinds of documents, it is in the interest of all renewing licensees and license applicants to obtain the appropriate documentation as early as possible to avoid processing delays. Appropriate documentation showing legal presence must be received by the Department before a license will be issued.

As noted at the beginning of this article under the Personal Responsibility and Work Opportunity Reconciliation Act, only “qualified aliens” may receive a public benefit. A “qualified alien” is a permanent resident; an alien who has been granted asylum; refugees; parolees admitted for at least one year; an alien whose deportation is being withheld; an alien admitted before 1980 as a “conditional entrant”; and certain battered aliens or alien parents of battered children under certain circumstances.

Like citizens, aliens will be required to present documentation to provide evidence that they fall into one of the categories which would make them a “qualified alien.” An abbreviated list of these documents is also shown on Page 3 (list B).

When to submit Documents

HCD will notify license examinees of the requirement early in the application process. If they successfully fulfill other licensing requirements, they will be aware that they must submit proof of legal presence documentation with their application for original licensure.

With respect to existing licensees, the required documentation must be submitted before a license will be renewed. The Department will, however, accept the legal presence document at any time during the license term, if the licensee should wish to submit that information early. If this is done, the proof of legal presence document should be submitted along with the form entitled HCD Benefits Status Form, available by contacting one of our offices.

For U.S. citizens and qualified aliens, the documentation will only need to be submitted once. After the Department’s records reflect that an individual has permanent status in the United States, there will be no further need to update the record.

Recognizing potential disruption of business that can take place when documentation establishing legal presence is not submitted, the Department encourages all licensees to submit appropriate documentation as early as possible. As previously stated, this documentation can be submitted at any time during the license term with a completed HCD Benefits Status Form.

Verification of Documents

The Regulations have a provision for verification of documents with the [Page 2](#)

Vital Statistics Offices

For information on obtaining a “full record” certified copy of your birth certificate from your state of birth, or U.S. territory or possession, call the appropriate number listed below:

States

Alabama	334-613-5418	North Carolina..	919-733-3526
Alaska.....	907-465-3391	North Dakota	701-328-2360
Arizona	602-255-3260	Ohio	614-466-2531
Arkansas	501-661-2336	Oklahoma.....	405-271-4040
California	916-445-2684	Oregon	503-731-4095
Colorado	303-756-4464	Pennsylvania....	412-656-3126
Connecticut	860-509-7897	Rhode Island	401-222-2811
Delaware.....	302-739-4721	South Carolina .	803-734-4830
District of Columbia		South Dakota ...	605-773-3355
.....	202-645-5962	Tennessee	615-741-1763
Florida	904-487-3160	Texas.....	512-458-7111
Georgia	404-656-4900	Utah	801-538-6105
Hawaii.....	808-586-4533	Vermont.....	802-863-7275
Idaho	208-334-5988	Virginia	804-225-5000
Illinois.....	217-782-6555	Washington.....	360-753-5936
Indiana	317-233-2700	West Virginia....	304-558-2931
Iowa	515-281-4944	Wisconsin	608-266-1371
Kansas	913-296-1400	Wyoming	307-777-7591
Kentucky	502-564-4212		
Louisiana	504-922-1184		
Maine.....	207-287-3184		
Maryland	800-832-3277		
Massachusetts .	617-753-8600		
Michigan.....	517-335-8656		
Minnesota	612-623-5121		
Mississippi	601-960-7891		
Missouri.....	314-658-1134		
Montana	406-444-4228		
Nebraska.....	402-471-2871		
Nevada.....	702-687-4480		
New Hampshire	603-271-4654		
New Jersey.....	609-292-4087		
New Mexico	505-827-0121		
New York	518-474-3077		

Territories & U.S. Possessions

American Samoa	
.....	684-633-1222
Guam.....	011-671-734-7292
Puerto Rico.....	809-728-7980
	(ext. 238)
Virgin Islands	
St. Croix	809-773-4050
St. Thomas	809-774-1734
Commonwealth of the Northern	
Mariana Islands	670-234-6401
Canal Zone	1-800-272-7854

document issuing agencies. HCD may request the use of the Immigration and Naturalization Services (INS) Systematic Alien Verification for Entitlements System (database). This service will be used only when submitted documents do not appear to be genuine.

Training sessions were provided in

April to give applicant processors information on identifying fraudulent documents. Representatives from the INS and U.S. Passport Agency provided training on passport and birth certificate fraud.

Training materials were developed, including two brochures and a generic procedure entitled, *Applicant Verification Procedures—Article 100.* [California Neighborhoods](#)

Acceptable Documents to Establish U.S. Citizenship

A person who is a citizen of the U.S. as evidenced by one of the following:

1. Birth certificate issued in or by a city, county, state or other governmental entity within the United States or its outlying possessions;
2. A U.S. Certificate of Birth Abroad (FS-545, DS-135) or a Report of Birth Abroad of a U.S. Citizen (FS-240);
3. A birth certificate or passport issued from:
 - A. Puerto Rico, on or after January 13, 1941
 - B. Guam, on or after April 10, 1989
 - C. U.S. Virgin Islands, on or after February 25, 1927
 - D. Northern Mariana Islands, after November 4, 1986
 - E. American Samoa
 - F. Swain's Island
 - G. District Columbia
4. A U.S. passport (except limited passports, issued for periods of less than five years);
5. Certificate of Naturalization (N-550, N-57, N-578);
6. Certificate of Citizenship (N-560, N-561, N-645);
7. U.S. Citizen Identification Card (I-179, I-197);
8. An individual Fee Register Receipt (Form G-711) that shows that the person has filed an application for a New Naturalization or Citizenship Paper (Form N-565); or
9. Any other document which establishes a U.S. place of birth or indicates U.S. citizenship.



Acceptable Documents to Establish Qualified Alien Status

The following documentation generally supports the qualifications of "qualified alien."



1. Documentation evidencing an approved petition or application
 - INS Form 1-551 (Resident Alien Card or Alien Registration Receipt Card, commonly known as a "green card"), which is currently pink in color and soon to be white.
 - Unexpired temporary 1-551 stamp in foreign passport or on INS Form 1-94.
 - INS Form 1-797 indicating approval of an INS I-130 petition.
- A final order of an Immigration Judge or the Board of Immigration Appeals granting suspension of deportation.
- An Immigration Court or Board of Immigration Appeals order indicating that you have established a prima-facie case for suspension of deportation.
3. Documentation indicating that you have filed a petition for legal residency.
4. Documentation indicating that the INS has initiated deportation or removal proceedings in which relief may be available, such as:
 - An Order to Show Cause;
 - A Notice to Appear; or
 - A Notice of Hearing in Deportation Proceeding

NOTE: The preceding lists (A and B) contain the most common documents for establishing U.S. citizenship or qualified alien status. For a complete list of acceptable documents, please refer to State Public Benefits (comprehensive list) (HCD 2), which may be obtained by calling or writing any HCD office.

Employee Awards



On February 26, HCD honored 11 employees who have made exceptional contributions to the efficiency of the Department and to the State of California.

The following pages feature Kathy Mendenhall and Dennis Smith, award recipients from the Division of Codes and Standards.



Kathleen Mendenhall, Staff Services Manager I, Codes and Standards Division, received the Gold Superior Accomplishment Award because of her exemplary role in the management activities of the Division.

Kathy plays an exemplary role in the management activities of the Division; preparing regulatory files, legislative analysis, maintaining all codes and manuals, and other special projects. Kathy performs her managerial duties extremely well. Two recent projects help demonstrate Kathy's extraordinary performance.

The first was a project in 1996 and 1997, to focus on collection of delinquent registration fees for thousands of commercial coaches. Kathy organized a procedure of providing printed notice of the delinquency, a contact person (who was often Kathy), and fee collection and record updating; all separate from the normal registration and titling (R&T) program operation. Between January 1996 and 1997, over \$2,400,000 in delinquent fees and penalties were collected. Of the collection, a total of \$1,236,000 was from fees established to recover the Department's cost of administering the R&T Program. Without this collection, the Program and Division

would have been forced to reduce expenditures dramatically resulting in delayed customer service.

The second project is part of the re-engineering of the R&T Program. Because of inadequate managerial staffing, it became necessary to include Kathy in the latter stages of the project. Her prior R&T experience proved to be beneficial as she worked to develop the design of the renewal billings, registration cards, and certificates of title. Kathy joined the team formed to test the new automation design to make certain the program would work in the daily environment. As the new automation was put in place, Kathy became a trainer helping program staff learn to use the new system. She traveled to one of the district offices to provide focused on-site training. Kathy continues helping with problem resolutions and training needs.

The Department is proud of Kathy's long-standing excellent job performance.



Dennis Smith, District Representative II, of the Codes and Standards Division received the Gold Superior Accomplishment Award for his exceptional performance level over the last seven years as demonstrated by the following.

Dennis Smith is responsible for guiding the activities of six HCD inspectors, as well as personally conducting numerous housing related inspections. Despite budget shortfalls and continuous public demand resulting in a very heavy and demanding workload, he continues to demonstrate day to day exceptional performance particularly through:

- Frequent evaluation of standard inspection processes and policies for timeliness and efficiency.
- Regular evaluation and suggested improvements to inspections forms and reports resulting in reduction in the time required for report writing.
- Routinely motivating and supporting staff through goal setting, time management and upward mobility advice.

Legislation effective January 1991, mandated that the Department perform maintenance inspections of

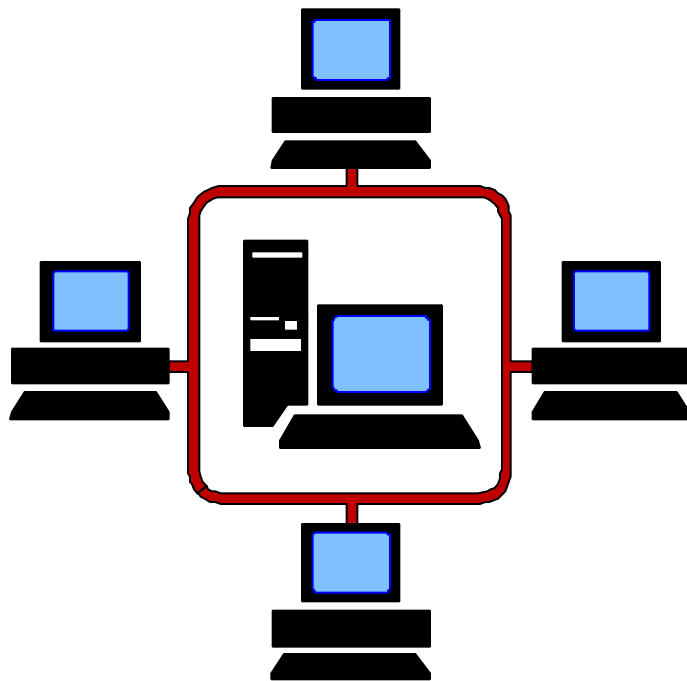
all mobilehome parks under state jurisdiction every seven years. To accomplish this task, an automated inspection report and violation notice process was developed. Dennis provided significant input toward streamlining the park inspection recording process ultimately resulting in:

- An improved pre-inspection information booklet that provides simple and effective information for mobilehome owner to correct code violations
- A more efficient violation coding system for HCD inspectors.
- Improved code violation descriptions (within violation notices) reducing telephone inquiries from the public and improving compliance.
- Procedural improvements saving valuable inspection time and resulting in better public communication and relations.

Dennis has been particularly valuable to the District Office in Sacramento by regularly assisting supervisors in evaluating hundreds of inspection reports received on a monthly basis. Vacancies and increasing workload within the office have increased the potential for decreased quality and quantity of inspections and inspection reports. Through regular screening and subsequent recommendations, it's insured that policy and sound practices of health and safety enforcement are consistently implemented by inspectors.

Dennis is well liked and respected by his subordinates, peers and supervisors. He works effectively and efficiently with members of the general public, industry and public officials. He consistently completes all duties in a timely and thorough manner, continually displaying a quality of work that is extraordinary. Overall, his job performance is consistently superior. Dennis Smith's contributions to the efficiency and effectiveness of the Department and the State are exceptional.

New System Reduces Titling Delays by 44%



Previous issues of *California Neighborhoods* – Manufactured Housing Edition described the Department's re-engineering project of the Registration and Titling Program.

THEN:

HCD contracted with Suncoast Scientific Inc., of Florida, through a competitive process, to analyze and re-engineer our operations. Payment for their work and the new automation equipment they install is made only through achieved savings. In other words, Suncoast earns the savings achieved when laborious activities are replaced by automation.

NOW:

The new Codes and Standards Automated System, or CASAS, as we call it, has already helped reduce the delays in titling issuance down below 200 calendar days. If you don't think that is anything to be proud of, your right. We aren't proud either. But, just a few months ago the delay topped out at 349 calendar days before the trend reversed itself. Both are unacceptable, but the recent trend of several consecutive weeks of improvement, is definitely in the right direction. We are anticipating several more enhancements to the automated system by Suncoast in the coming weeks and expect to continue the recent trend of reducing the backlog. By summer, we hope the backlog will be substantially reduced and can better meet the needs of our customers.

Visit the
HCD
Website

<http://housing.hcd.ca.gov>

- Program descriptions • General information • Proposed regulations
- Registration and Titling forms
- Newsletters and more.

Automated
Service for
Registration and
Titling Customers
1-800-952-8356

The Registration and Titling Program now has an automated call system to route incoming calls and also provides information our customers need.

- Reminds callers to have decal or license number available when calling so we

can better serve them;

- provides information on the current processing time for title transactions;
- information on registration renewals; and
- other information for mobilehome owners/buyers.

MISSION

Division of Codes and Standards

To effectively and efficiently administer California housing laws and regulations providing for health, safety, ownership security and consumer protection.

Training for Local Inspectors

The Department joined forces with the California Building Officials (CALBO) by forming a task force to address a variety of issues. One of these issues is training. In the works are training presentations by HCD at CALBO training seminars later this year.

The Department is also working with the Manufactured Housing Task Force sponsored by the California Manufactured Housing Institute. The group is addressing the need for information and training for local government on manufactured housing.

To assist the efforts of the newly formed task forces, the Department will issue a revised edition of *Manufactured Homes-Information for Local Government Officials*.

The expansion will include information on the new chattel installations, proper procedures for inspecting manufactured home installations, standard plan approvals, paperwork requirements for local officials, and reprints of the associated laws and regulations in a handy appendix.

HCD will call the new edition *Manufactured Home Handbook for Local Government Officials*. In May 1998, a draft will be presented to the CALBO Task Force and the Manufactured Housing Task Force for finalization.

This expanded handbook should be a very useful resource for local officials and inspectors.

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